

Journalists (or Anyone): "It's Public Information" is NOT an excuse to violate my Right to Privacy since PACER requires Login. DO NOT publish my Court records or mention my name when discussing this case. Thanks.

James Greiner (Pro Se)
Wenatchee, WA
Gmail: runitbyjames
Ph: (XXX)XXX-3595

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 20, 2023

SEAN F. McAVOY, CLERK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

James Greiner ("James", Pro Se), Case No.: 2:23-cv-00305-JAG

Plaintiff

v.

COMPLAINT

Tesla Inc. ("Tesla"),

Elon Musk ("Elon"),

Defendants

Jury Demand: **NO**

REDACTION FOOTNOTE

This case should have been in Arbitration, which would have protected my privacy. Unfortunately, I had to go to Court to seek justice. So... "Hello, World. Please leave me alone. Thanks."

Anyway, since Tesla already has my info, then I'm invoking Criminal Rule 49.1(a) with regards to my home address being just the city and state. And per FRCP Rule 5.2(a), I am allowed to redact financial-account numbers, and according to the FCC that includes mobile phone numbers now (you should read this):

<https://www.fcc.gov/port-out-fraud-targets-your-private-accounts>

If you need to call me (Why, really?), then email me your name and phone number first (that's fair), since I never answer unless I know who's calling me anyway.

THE PARTIES

1) Plaintiff, James Greiner, a natural-born U.S. Citizen whose daytime job is a Commercial Electrician, but who has been a proficient C++ Programmer, Amateur Mathematician and Data Scientist, and Forex and Stock Options Trader for over 15-20 years, and who was inspired by an Elon Musk video to (regrettably) apply for a job with Tesla.

2) Defendant, Tesla Inc., is a **Public** U.S. Corporation that manufactures fully self-driving electric cars, battery storage units, and humanoid robots.

3) Defendant, Elon Musk, at the time of the events, was the **Absentee** CEO of Tesla Inc. while also being the Full-time CEO for Twitter Inc. (now known as "X"), who is a very inspirational and hard working man, and way too busy for another lawsuit. (I really hate suing him, but Right is Right and Wrong is Wrong.)

JURISDICTION

4) This Court has diversity jurisdiction since all the parties are from multiple states and the amount in controversy for each Defendant is over \$75,000.

VENUE

5) Venue is proper, per 28 U.S. Code § 1391(b)(2), since a substantial part of the events giving rise to this claim occurred in this judicial district.

TESLA CLAIM - SHORT AND PLAIN

6) James applied for a C++ Programming job at Tesla.

7) Tesla skewed the recruitment process against James, as a U.S. worker, in favor of immigrants, breaking the law required by 8 U.S. Code § 1182(n)(1)(G)(i), and this precluded him from being hired.

8) James filed a Demand to Arbitrate with JAMS per Tesla's Arbitration Agreement, following the JAMS Rules word-for-word.

9) Tesla's General Council ("TGC") and JAMS both dragged their feet to the benefit of Tesla.

10) TGC and JAMS both ignored the JAMS Rules to the benefit of Tesla, and when James filed a Written Objection to TGC breaking the Rules, the JAMS "Neutral" Arbitrator overruled.

11) Then, TGC and the JAMS "Neutral" Arbitrator "conspired" to Breach the Arbitration Contract, by Dismissing the case for "failure to state a claim upon which relief may be granted", because according to them:

"the Immigration and National Act does not provide for a private right of action to individuals and entrusts the investigation of complaints and the enforcement of violations of the statute to the Secretary of Labor and the Attorney General"

12) But, in the Response to TGC's Motion to Dismiss, James had listed two reasons why he had a "private right of action":

(i) The Arbitration Contract.

(ii) The Supreme Court has established "an implied private right of action" under Title VI, leaving it "beyond dispute that private individuals may sue" to address allegations of

1 intentional discrimination... [some Caselaw]

2 13) In the ruling to Dismiss (a.k.a. the Final Award), the
3 JAMS "Neutral" Arbitrator did not mention either of these two
4 points. Instead, he simply cut-n-pasted TGC's Reply to James'
5 Response, which said the Caselaw was "inapposite".

6 14) But, James' point (ii) was cut-n-pasted from the Civil
7 Rights Division of the United States Department of Justice
8 website: <https://www.justice.gov/crt/fcs/T6Manual9> which steps
9 through the Caselaw to reveal the legal right to sue: "intentional
10 discrimination". Hardly "inapposite" in a case about "intentional
11 discrimination". (But it's irrelevant. James had a Contract.)

12 15) So James filed a Motion to Appeal. But his Motion was
13 ignored by the JAMS "Neutral" Arbitrator. So James emailed the
14 JAMS Case Manager who replied, "The Award was final therefore this
15 ends our jurisdiction." (WOW, Total Bias. JAMS is a Thumbs-Down.)

16 16) The word "Neutral" is in quotes to point out the satire
17 that it actually means "Not Neutral".

18 17) FINALLY, it is Estoppel to require Arbitration, and then
19 during Arbitration to argue that Arbitration should not be used.
20 (Imagine if a woman who signs a Prenuptial Agreement argues in
21 divorce court that she should get half because the Law says so,
22 and since it's the Law, then the Agreement should be ignored.)

23 18) PLUS, a Contract is not something JAMS can agree with TGC
24 to break - read the entire Supreme Court Ruling with American
25 Express Co. v. Italian Colors Restaurant, 570 U.S. 228 (2013).

1 19) THEREFORE, James' Claim against Tesla NOW is that TGC's
2 delays with JAMS and then their final Breach of Contract was an
3 intentional Low-life Lawyer's tactic to prevent James from
4 "effective vindication" of his Rights, since in the end, James was
5 well past the 180 days allowed to file a Complaint with the
6 Government, which SHOULD NOT have even been part of the equation
7 since there was a CONTRACT (in perfect English, not Legalese):

8 "Tesla and I agree to arbitration as the exclusive method for
9 economically and efficiently resolving any and all disputes and
claims between us."

10 20) Strangely, the JAMS Arbitrator also wrote in his Final
11 ruling: "In reviewing the record before me, it appears there are
12 no genuine issues of material fact, either actual or
13 hypothetical." (Did he really write "no genuine issues"? I had to
14 re-read this and Google the meaning. It's as if he wanted this
15 case to not be at JAMS, but still wanted to afford me the
16 opportunity to get justice elsewhere. Strange, right? Jerk.)
17

18 **ELON CLAIM - SHORT AND PLAIN**

19 21) Elon is both directly and indirectly "the cause" of the
20 inappropriate hiring practices happening at Tesla. (Sorry, Elon.
21 This is going to be make you look bad, as in, very un-American.)

22 22) Elon is both directly and indirectly the reason why TGC
23 acted in bad faith the entire time. (FYI: It was a big mistake to
24 pick a fight with an American construction worker.)
25

1 23) THEREFORE, James' Claim against Elon is that Elon's
2 Negligence to fulfill his Duty of Care to Tesla, by spreading
3 himself to thin, has created a mis-guided leaderless "Guess-Men,
4 Yes-Men" company structure, which has created this entire
5 monstrous situation. Meaning, NONE of this would have happened if
6 Elon was an Active and Engaged CEO.

7
8 **TGC'S BAD FAITH TIMELINE**

9 24) James watched a video of Elon, where he said:

10 "I do wonder today if Nikola Tesla applied to Tesla, would we
11 even given him an interview. I'm not sure we would. ...We
12 should, obviously. So, that does concern me. I think we could
13 do a better job of vetting resumes. And really, we're just
looking for evidence of exceptional ability. Like not whether
someone graduated from a particular school or whatever."

14 25) January 23 - James bought a website domain name.

15 26) February - James created his website to show-off his
16 exceptional abilities. It included code to track visitors and to
17 instruct search-engine bots to not list his site in search
18 results. Meaning, only invited humans or bots would ever visit.

19 27) March 5 - James applied online at Tesla.com for a Software
20 Engineer job (a.k.a. C++ Programmer) and submitted a link to his
21 website, per the application instructions.

22 28) March 9 - James got a rejection email from Tesla saying,
23 "After carefully reviewing your application, we have determined
24 that the credentials of other candidates better fit the
25 requirements of the position." But no one had visited his site -

1 the email was a dodge, a ruse. (It was also a Red-flag, and I know
2 that: **"Two red-flags = prophetic knowledge"**. So I always make a
3 mental note of #1 because it makes spotting #2 much easier.)

4 29) March 13 - James had remembered that the application asked
5 if he would "require immigration sponsorship" and that he had
6 check-marked: "No". This thought created Red-flag #2 for him, and
7 1+2 = prophetic knowledge: "Tesla only wants to hire immigrants",
8 so he mailed an FYI letter to TGC (Arbitration costs \$\$\$), hoping
9 they would at the very least visit his website. (nothing happened)

10 30) April 6 - **Following the JAMS Rules word-for-word**, James
11 served TGC (by certified mail) a Demand for Arbitration.

12 31) April 24 - TGC did not Respond within the **time required by**
13 **the JAMS Rules**, so James served TGC (by certified mail) a Written
14 Notice of Procedural Change (**following the JAMS Rules**), basically
15 requesting to email each other as a way to solve the problem prior
16 to (paying for) a full-blown JAMS Arbitration (this too was
17 **recommended by JAMS**).

18 32) May 12 - Once again, TGC did not Respond within the time
19 required, so James decided to go ahead and Create a JAMS Account
20 to file the Demand and Proof of Service **per the JAMS Rules**. It was
21 then that James discovered that ****the Rules do not match Reality****
22 and that TGC would get time to Respond all over again.

23 33) June 2 - It took JAMS 3-weeks to do "who knows what???"
24 and send the Demand and invoice to TGC. (This 3-week delay created
25 a new Red-flag #1, but this time with the JAMS process.)

1 34) June 22 - Three weeks after JAMS sent the Demand, Tesla
 2 still had not paid the JAMS invoice to get things started, so the
 3 JAMS Case Manager sent TGC a "we're still waiting" email. This
 4 caused James to research what happens "if" they don't pay. He
 5 learned that nowadays it is common for a Defendant to not pay and
 6 let the Claimant go to Court, and then ask the Court to send it to
 7 Arbitration - a Legal gray area - and another Low-life Lawyer's
 8 tactic used to wear-out a Claimant. (Red-flag #2)

9 Harvard Negotiation Law Review
 10 "Stiffing The Arbitrators: The Problem Of Nonpayment
 In Commercial Arbitration"

11 I. INTRODUCTION

12 There is a hole in our arbitral system. Despite being among the most efficient and
 13 prevalent means of resolving commercial disputes, and one generally favored by courts,³
 14 arbitration is dangerously susceptible to the problem of nonpayment. Simply put, a
 15 respondent seeking to avoid liability may be able to "game" the system by refusing to pay
 16 its share of arbitration fees. All too frequently, this leaves the claimant without an
 17 effective remedy to hold the nonpaying respondent accountable.

18
 19 35) **This really freaked-out James.** In such a situation, there
 20 are only two options: Either the Claimant chooses to pay ALL the
 21 fees (no freakin way), or he would have to risk going to Federal
 22 Court. (Bad to Worse.)

23 36) So, thinking it was inevitably headed that way, James
 24 started learning the Federal Court process and even emailed the
 25 JAMS Case Manager and asked if he would get a refund if Tesla

1 failed to pay.




2 37) July 5 - Based on advice he found online to prevent
3 Defendants from being able to "game" the system, James thought of
4 a way to have a supportive paper-trail, so he sent TGC a 30-days
5 Past Due Notice through the JAMS portal.

6 38) Was James PARANOID? Or... Does Red-flag Prophecy work?

Invoice #6694108 Past Due Notice

8 Greiner, James vs. Tesla Inc.
9 REF #5160000384

10 Participants: Tesla Arbitrations, Michele Wilson, Jams Jams, James Greiner

11  James Greiner
12 07/05/2023 5:13 PM  

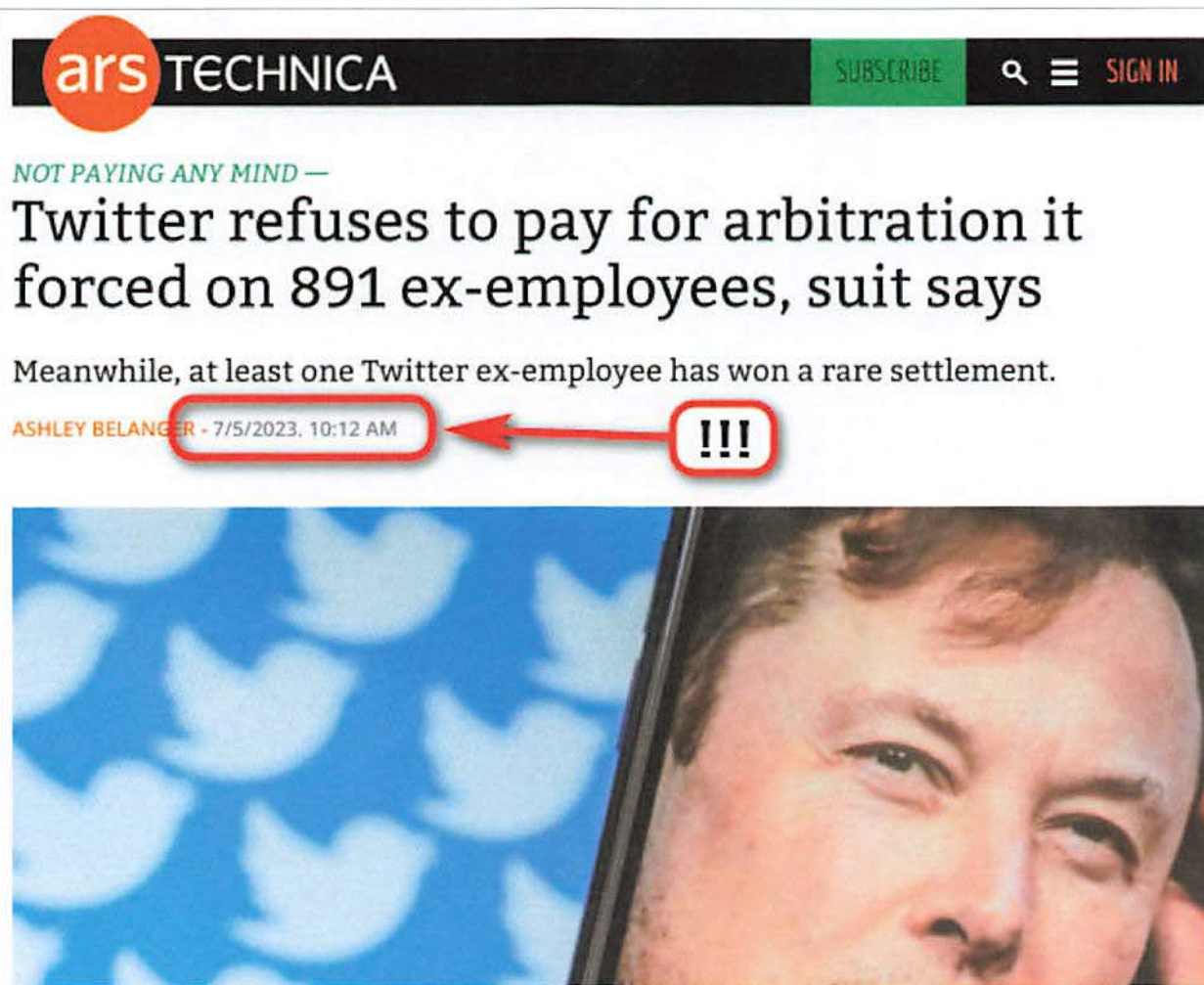
13 Tesla,
14 You are currently over 30 days past due paying your share of the Filing Fee.
You have one week to pay or I will request JAMS to terminate this case for non-payment.

15 39) Internet Browser:

16 History  

17

<input type="checkbox"/>	 Sarah Silverman sues OpenAI, Meta for b... arstechnica.com	Jul 12, 2023	×
<input type="checkbox"/>	 Twitter refuses to pay for arbitration it fo... arstechnica.com	<u>Jul 7, 2023</u>	×
<input type="checkbox"/>	 Musk wins legal battle to force laid-off T... arstechnica.com	Jul 7, 2023	×
<input type="checkbox"/>	 Ars Technica arstechnica.com	Jul 7, 2023	×



16 40) As you can see, James sent TGC the Past Due Notice before

17 reading the Ars Technica article and knowing about Elon and the

18 Twitter Arbitration. (**Red-flags are spooky-accurate predictors.**)

19 41) Furthermore, the Twitter Arbitration was also with JAMS,

20 which explains the weird delay with JAMS, meaning **Elon acting as**

21 **the Twitter CEO was having an effect on Tesla cases.** Elon viewed

22 JAMS as too expensive for all the Twitter employees, and therefore

23 he was most likely debating whether any case should go to JAMS.

24 This mental tug-of-war between Twitter "duty of care" vs. Tesla

25 "duty of care" is called Negligence. No man can serve two masters.

1 42) July 6 - TGC gets the message early the next morning, and
 2 realizing they should not risk it, they assigned counsel, who
 3 emailed JAMS to say that the invoice will be processed.

4 43) July 25 - Almost 3-weeks later, Tesla paid the JAMS
 5 invoice, and JAMS sent out the Commencement Letter with a deadline
 6 of August 4 to pick an Arbitrator from a list.

7 44) August 5 - James filed a Motion for Summary Disposition to
 8 try to spur TGC to file a Response, because so far TGC had ignored
 9 everything. First line: "WARNING - Last Chance to Respond"

10 JAMS Employment Arbitration Minimum Standards of Procedural
 11 Fairness states:

12 *All remedies that would be available under the applicable
 13 law in a court proceeding ...must remain available in the
 14 arbitration.*

15 Federal Rules of Civil Procedure - Rule 55 states:

16 *When a party against whom a judgment for affirmative
 17 relief is sought has failed to plead or otherwise defend,
 18 and that failure is shown by affidavit or otherwise, the
 19 clerk must enter the party's default.*

The Law

20 45) August 9 - JAMS sent out an Appointment packet revealing
 21 who will be the Arbitrator, AND ANOTHER INVOICE for Tesla called a
 22 Deposit Request. (Is JAMS not smart enough to send this invoice
 23 weeks ago? Whatever. The extra time can be used by TGC to file a
 24 Response to James' Motion for Summary Disposition, right?)

25 46) August 25 - Tesla paid the second invoice.

47) August 28 - JAMS schedules the Preliminary Conference for
 September 11.

48) September 7 - JAMS posts a fill-in-the-blank Scheduling Order that has something very inappropriate:

6. Pleadings and Arbitrability. The claims are stated in the Demand for Arbitration dated May 12, 2023, Written Request to Arbitrate and Written Notice of Additional Claim. Respondent shall file a response not later than _____. The claims are arbitrable.

7. Applicable Law and Rules: The substantive law of _____ together with JAMS Employment Arbitration Rules & Procedures shall apply in this proceeding.

But JAMS Rules say TGC's time to Respond has expired:

(c) Within fourteen (14) calendar days of service of the notice of claim, a Respondent may submit to JAMS and serve on other Parties a response and a statement of any affirmative defenses, including jurisdictional challenges, or counterclaims it may have. JAMS may grant reasonable extensions of time to file a response or counterclaim prior to the appointment of the Arbitrator.

49) September 11 - The Preliminary Conference was a JOKE, but James wasn't laughing. TGC came with NOTHING - basically, "We haven't lifted a finger to do anything with this yet". So, instead of following the Rules, which James stated for the record should be followed, the Arbitrator used JAMS fill-in-the-blank form:

6. Pleadings and Arbitrability. The claims are stated in the Written Request to Arbitrate dated May 12, 2023, Written Notice of Additional Claim filed July 10, 2023, and Written Notice of Withdrawal of Claim filed July 25, 2023. Respondent shall file a response not later than September 22, 2023.

7. Applicable Law and Rules: The substantive law of the state of Washington together with JAMS Employment Arbitration Rules & Procedures together with the JAMS Policy on Employment Arbitration, Minimum Standards of Procedural Fairness shall apply in this proceeding.

50) This one thing explains TGC's entire strategy all along. Since TGC has inevitably dealt with other JAMS cases, then they already knew about this "loop-hole" and therefore pro-actively

1 used it to "game the system". The longer they drag everything out,
2 the more days are lost for a Person to file a Complaint with the
3 Government. But, this strategy is beyond stupid when, in the end,
4 their plan is to Breach a Contract that causes real Damages.

5
6 **THE ELON FACTOR - TGC ACTING IN BAD FAITH**

7 51) TGC's strategy is based on logic that is a perfect
8 reflection of Elon's logic with all the Twitter employees. The
9 logic of Statistics regarding going to Court. Unlike Arbitration,
10 most regular people would never be a Pro Se in Court - they must
11 hire a Lawyer. So, it's worth the risk to Break Arbitration
12 Agreements with regular people. (But with James, they decided to
13 pay JAMS, do a song-and-dance, and then Break the Contract, since
14 his case had legs and needed a JAMS smokescreen.)

15 52) Once again, "Elon is both directly and indirectly the
16 reason why TGC has acted in bad faith." Just ask yourself, "Would
17 TGC's Lawyers act this way if they owned their own practices?"

18 53) Quick Reminder: James gave them a quick, easy, and free
19 solution that they ignored - THREE TIMES: March 13, April 6, and
20 April 24.

21 54) That's insanity, "Why wouldn't they use their brains?"
22 The simple answer: Because they are employees. And since Elon
23 understandably hates opportunistic, gold-digging lawsuits, which
24 is an unfortunate consequence of being the World's Richest Man,
25 then he wants TGC to be "hardcore litigators":



Elon Musk
@elonmusk

Subscribe

...

Tesla is building a **hardcore litigation** department where we directly initiate & execute lawsuits. **The team will report directly to me.**

Please send 3 to 5 bullet points describing evidence of exceptional ability.

justice@tesla.com

1:28 PM · May 20, 2022



27.6K



28.4K



204.5K



1,771



Elon Musk · May 20, 2022

My commitment:

- **We will never seek victory in a just case against us,** even if we will probably win.

- We will never surrender/settle an unjust case against us, even if we will probably lose.



4,199



8,785



91.1K



Elon Musk · May 20, 2022

Please include links to cases you have tried



2,831



4,403



72.3K



Elon Musk · May 20, 2022

Looking for hardcore streetfighters, not white-shoe lawyers like Perkins or Cooley who thrive on corruption.

There will be blood.



11.8K



15.9K



128.4K



1 55) The next obvious question is, "Did Elon directly instruct
2 TGC to act in bad faith?" James does not think so. Instead, this
3 goes back to James' assertion that: by Elon spreading himself to
4 thin, he has created a mis-guided leaderless "Guess-Men, Yes-Men"
5 company structure.

6 56) Meaning, everyone at Tesla is hypnotized and asks
7 themselves "What would make Elon proud of me?" This is another
8 side-affect of Elon being Famous. No one does what is "Right".
9 They ALL do what they think would make Elon happy. This one
10 attitude is obviously a HUGE problem at Tesla.

11
12 **THE ELON FACTOR - BAD FAITH HIRING PRACTICES**

13 57) Everyone who is not Generation Z, hates Generation Z,
14 including James. It is a FACT that Generation Z is an
15 overwhelmingly lazy, entitled group of worthless U.S. born
16 Citizens who surf-the-web at work instead of doing their jobs.

17 58) Everyone who has witnessed the work ethics and quality of
18 immigrants are impressed, including James. Therefore, it is very
19 understandable that Elon and his Hiring Managers would want to
20 hire immigrants. (Elon is even a hard-working immigrant himself.)

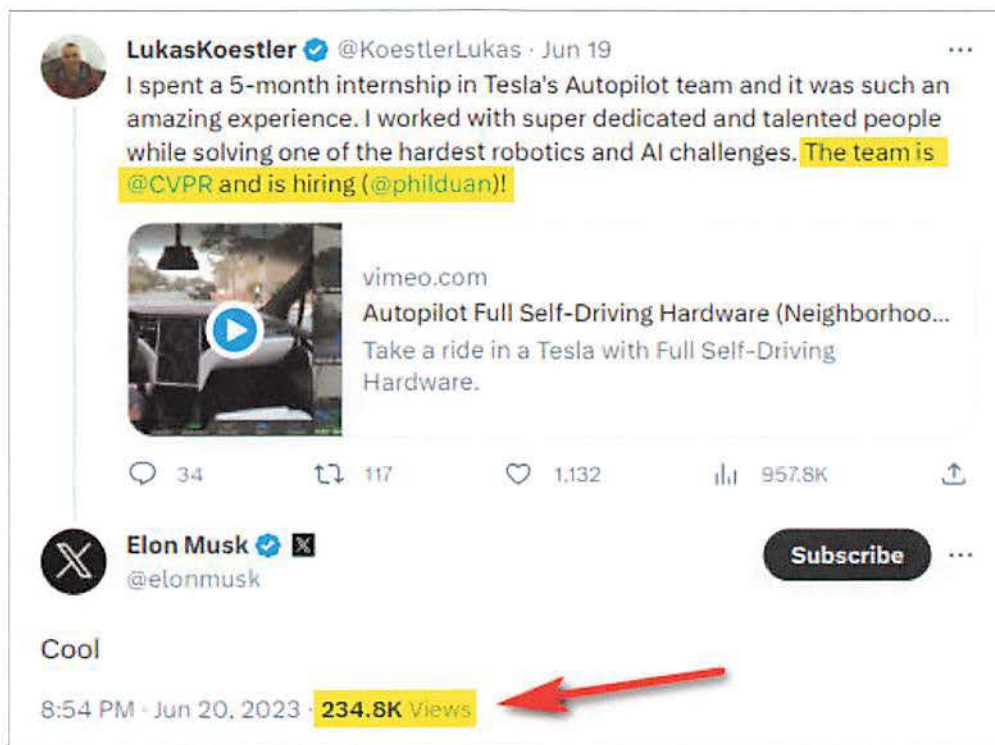
21 59) But, just because Elon is right, and his Hiring Managers
22 are right, and everyone including James is right, and "immigrants
23 are the best workers" as written on line 11 of the tablets brought
24 down the mountain by Moses, it doesn't mean a company can ignore
25 the Law in order to make a >>>>--straight-line--> to hiring them.

60) So back to the Claim that: Elon is both directly and indirectly "the cause" of the inappropriate hiring practices happening at Tesla. The funny thing is that with all the extra time wasted by TGC, James had the extra time to discover more about the true work environment at Tesla, including the actual Team that he had applied for a job with, the Bot Team.

61) In ****June, 2023****, Telsa had a booth at CVPR (Computer Vision and Pattern Recognition Conference) in Vancouver, Canada. (Since I trade Forex and read the World News, I happen to know that Vancouver has a huge Chinese immigrant population trying to make money in Housing, which also caused China to change their money-transfer laws.)



62) No big deal by itself - CVPR is at a different location every year. It's only after what happens next that you see Canada and the Chinese immigrant population as being a Red-flag #1. Meaning, sometimes it takes seeing Red-flag #2 to realize you already saw #1. So let's look at #2 (no pun intended)...



12 63) Why did Elon reply to this particular tweet? Why not reply
13 to Phil's tweet instead? Because... It's the perfect way to
14 advertise for a job, since Elon has over 150 million subscribers.
15 The only problem is that the job is in the United States - not
16 Canada. (But hey, not a problem for Chinese immigrants.)

17 64) "Oh, come on, James. You're grasping at straws." Except it
18 gets much worse. It turns-out that the Tweets about Tesla being at
19 CVPR revealed a lot about Tesla's Autopilot and Bot Team, allowing
20 James to learn all about them.

21 65) First, they are actually a small close-knit team who
22 apparently have a direct connection to Elon himself, which makes
23 the "I want to make Elon happy" mentality even stronger:
24
25



20 66) But the problem is, they do not appear to be a very

21 American Team. (If you think I meant "looks", the picture shows a

22 "small" team, refer to the previous paragraph - otherwise they

23 "look" like super-smart nerds - just like me.)

24 67) And ALL of the ones that James could track per LinkedIn

25 and Twitter are non-U.S. born.

68) But two of them proved that Red-flags are spooky-accurate predictors again and "Tesla only wants to hire immigrants". These two are the culprits (I guarantee it):

R****a C*****n, India - ****Sr Staff Recruiter for the Team****

Ashok Elluswamy, India - ****Director of the Team****

69) Here's why: "Birds of a feather flock together". Gays hire more Gays and it's called the Fashion Industry. Jews hire more Jews and it's called Hollywood. And at Tesla, non-U.S. born managers/recruiters hire more non-U.S. born workers and it's called Illegal.

70) "So why aren't there systems in place to prevent it?"
Because Elon continually hints at who to hire and the non-U.S. born managers/recruiters get the hints and hire who he wants, perfect "Guess-Men, Yes-Men", especially since they have a debt of gratitude to Elon for sponsoring them to get their Citizenship. (Too Far-fetched? Keep Reading.)

71) Ashok Elluswamy is the perfect example:



72) The BIG question is, did Ashok Elluswamy have U.S. Citizenship at that time? According to LinkedIn, NO WAY. So then, why was he the "first person recruited"? Seriously.

Software Engineer - Autopilot

Jan 2014 - Jun 2016 - 2 years 6 months

Developed various modules such as velocity planning and control, automatic lane change, etc. for the first generation Autopilot.

Research Intern

Volkswagen Electronic Research Lab

May 2013 - Dec 2013 - 8 months

Belmont, CA

Research and development of a robust, camera-based, perception system to recognize and register various road-marks on the vehicle's drivable road surface in-order to

Software Engineer

WABCO Vehicle Control Systems

Apr 2010 - Jul 2012 - 2 years 4 months

Chennai Area, India

Vehicle Dynamics and Control

* Worked on brake actuation modules to establish real-time performance guarantees of actuators

73) Ashok Elluswamy is only one example of questionable practices and comments by Elon - there are others:

In November 2021, Elon tweeted,
"USA benefits greatly from Indian talent!"

In August 2023, Vaibhav Taneja became Tesla's new ****CFO****, another person from India to be given a top-level job.

But in ****July 2023**** (let's just BOIL MY BLOOD), Elon tweeted in regards to new U.S. policy limiting Indian immigrants:



74) That one Tweet, a very anti-American Tweet, makes it easy for Indian Tesla hiring managers/recruiters to know exactly who Elon wants them to hire. (Sign the Verdict now, Judge.)

1 75) And, in case you've been living under a rock: Elon is 100%
2 Pure Business Man. Meaning, Elon knows that the next really BIG
3 customer base is India. (Once again, I read the World News, and
4 Elon's hiring practices are paying off - India loves him. The News
5 there is goo-goo-ga-ga for every Indian who rises to the top at an
6 American company. But when it's Tesla, it's time for Fireworks.
7 Hip-Hip-Hurray, more natural-born U.S. Citizens lose jobs.)

8
9 **ELON'S MIND - TWITTER vs TESLA**

10 76) To help see things clearly, let's take Trump as an
11 example. "Oh brother, please spare us." So pretend on the first
12 day in office if Trump went on CNN and said, "I want to apologize
13 to America and to the Democrats. Sorry. I had to play dirty to get
14 elected. And I will never do that again. I want the division to
15 end. I want us to be ONE America. Not Republican. Not Democrat.
16 And I want to be this country's 100% 'American' President."

17 77) Trump could have been "The Most Loved" President in U.S.
18 History. Instead, he has the title of being "The Most Hated". And
19 Hatred is destructive. Open Borders and the massive number of
20 illegal Mexicans can be blamed on Hatred for Trump. The massive
21 National Debt from the Pandemic can be blamed on Hatred for Trump.
22 America is being destroyed before our very eyes because half the
23 country Hates Trump, ****AND IT'S ALL HIS FAULT****. Seriously, How
24 STUPID can a person be to make HALF the Country hate you?

25 78) Let's ask an expert...

1 79) Because Elon can answer that question. Oh wait, he already
2 did... On May 16, 2023 in an interview with CNBC's David Faber,
3 David asked Elon a Tesla question, "It even came up in [Tesla's]
4 annual meeting... Do your tweets hurt the company? Are there Tesla
5 owners that say I don't agree with his political position?"

6 80) After an extremely long pause, Elon replied, "I'm reminded
7 of this scene in *The Princess Bride*... 'Offer me money, Offer me
8 power, I don't care.' I will say what I want to say, and if the
9 consequences of that is losing money, then so be it."

10 81) The one HUGE Problem with that answer: Elon answered as a
11 **"Free Speech" Twitter User** - NOT as a Tesla CEO, which is who
12 David's question was directed to and supposed to be answered by.

13 82) After that long pause, Elon's answer as a Tesla CEO should
14 have been the same as what Trump's should have been - to Take
15 Accountability. "You are 100% right, David. I tweet things that
16 make Half the Country Hate me, and that hurts Tesla. And this
17 Country has had enough Hate. So I'm going to make a promise here
18 and now to stop doing that. And I'm sorry to all the people that
19 Hate me. I really am. I even want to ask everyone now if maybe we
20 can All start a movement to end the Hate and become One America.
21 Let's hashtag OneAmerica and 'Stop the Hate'. I want that."

22 83) Oh well. We don't live in fairyland. And Elon's mind is
23 100% hijacked by "Free Speech" - to Telsa's detriment. Although,
24 with Elon, it doesn't matter if Half the U.S. hates him - since
25 all of the next customers are in India. (Occam's Razor)

NEGLIGENT IN DUTY OF CARE

84) Any business owner knows that Customer Complaints reveal unknown problems that should be resolved quickly and amicably. "A happy customer tells no one. An angry customer tells everyone."

85) And, any top-notch CEO who exemplifies "duty of care" would have his Legal Team send him a brief description of any Legal Complaints against his company as a way to be informed about problems needing fixed - and fix them.

86) If you look again at the tweets from Elon about his "hardcore" Legal Team, he said, "The team will report directly to me" and "My commitment: We will never seek victory in a just case against us". Logically, if Elon were to have stayed true to his word, then James would have not been dragged through the mud. And logically, if Elon were to continually fix problems at Tesla, then there would not be endless Complaints, or a need for a "hardcore" Legal Team. These are the very reasons to have an Active CEO.

87) Once again, the ONLY THING that Tesla knew about James: James Checked "No" for Immigration. And yet there are no systems in place to prevent Hiring Managers from sending out fraudulent rejection emails. And Tesla's Legal Team was not allowed to use their brains. "Let's not bother Elon. He's too busy. Besides, we already know he wants 'hardcore litigators'."

88) ALL OF IT points to Elon's Negligence as a CEO. (The only thing that makes Elon look worse is "Free Speech" and his endless Tweets - time he should be spending as Tesla's Active CEO.)

DEMAND FOR JURY

89) James does NOT want a Jury for the following reasons:

90) Since this case is so crisp-and-clean, then there is no need for a Jury, therefore James will be filing a Motion for Judgment on the Pleadings, meaning there is also no need for Discovery. (Seriously. This case is 100% ready, NOW.)

91) Since Elon is both loved and hated by half-and-half of the country, then there is no way to have a Jury that will not be deadlocked half-and-half.

92) Since the Defendants will be tempted to file a Motion to Arbitrate, and the ONLY reason to Arbitrate is to avoid a wacko Jury, then "No Jury" means "No Reason" to file the Motion.

93) James wants this over Yesterday, and having a Jury will only drag this out indefinitely. (an infinity to James)

94) James hates driving more than anything and hopes to use ZoomGov for the entire case (Pretty, Please), which would not be possible with a Jury.

JAMES IS NOT A GOLD-DIGGER

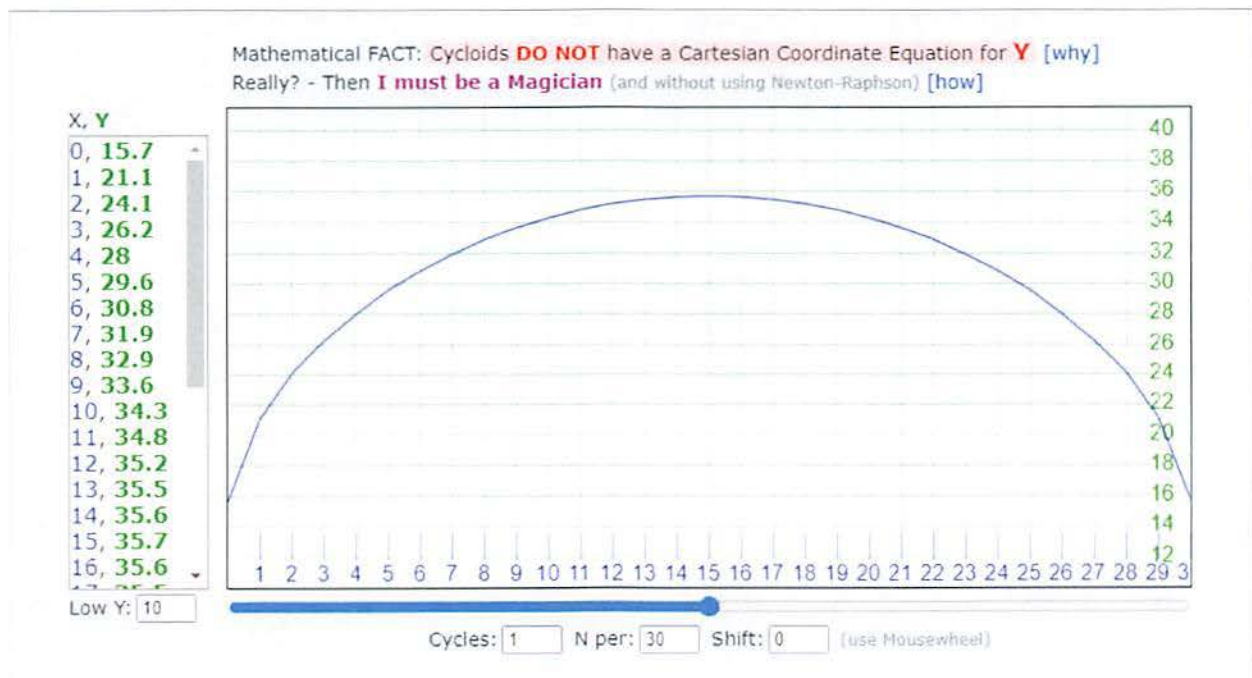
95) James will be asking for Loss of Future Earnings but wants the Court (and World) to know that he has been the most fair person every step of the way in dealing with this - as in NOT a Gold-digger. TGC was given the option to have the Arbitrator literally roll-a-dice since Job Interviews are a roll-of-the-dice making it possible for them to not pay a penny.

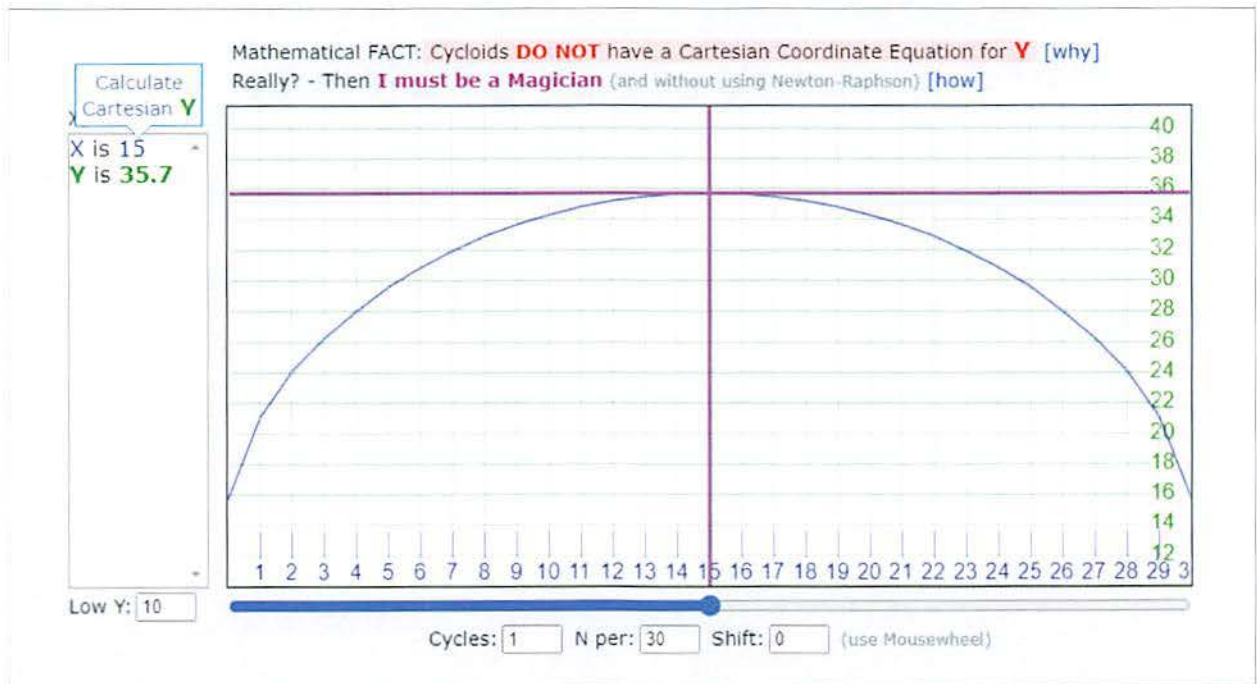
96) That option was taken off the table when TGC personally insulted James for being an electrician without "experience" in their Motion to Dismiss so instead he gave them a Math Challenge, which of course they ignored, but which James offers here again.

97) A Cycloid uses Sine, a transcendental function, which cannot be solved algebraically for $y = f(x)$. The same Inverse problem exists with Kepler's equation:

"I am sufficiently satisfied that it cannot be solved a priori, on account of the different nature of the arc and the sine. But if I am mistaken, and any one shall point out the way to me, he will be in my eyes the great Apollonius." - Johannes Kepler

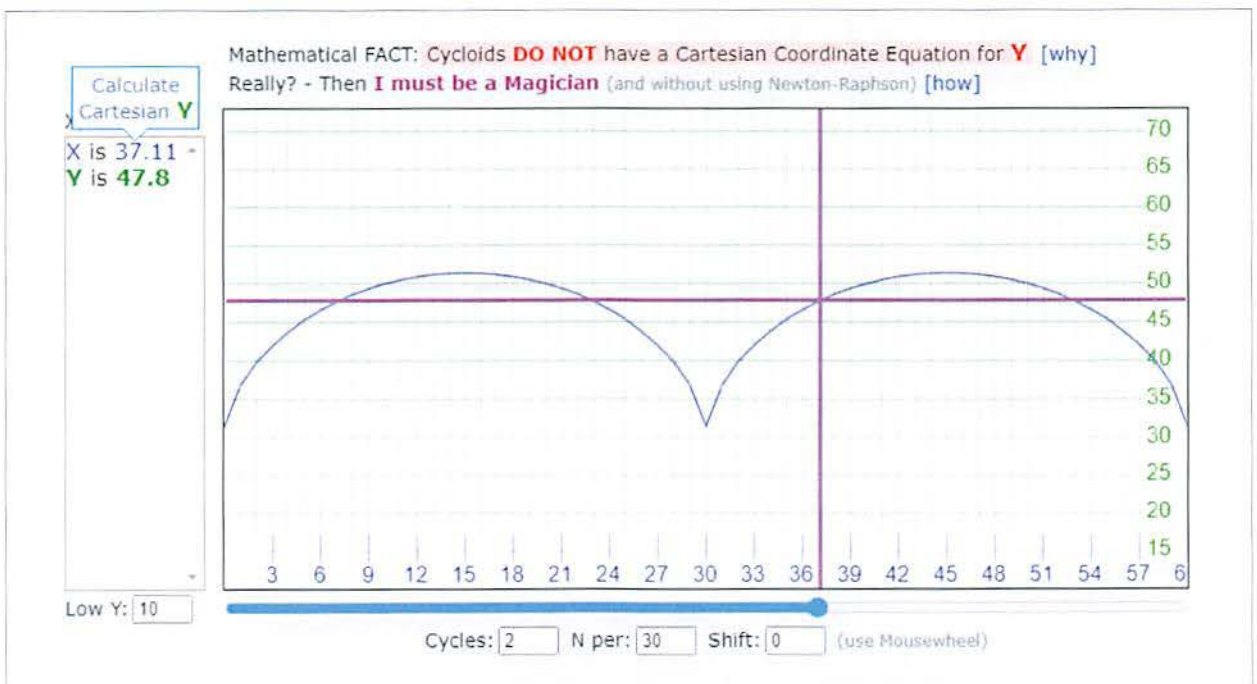
98) So if TGC can find anyone at Tesla, or anyone else in the World (math professors, internet forums, etc.) that can explain how James calculates a Cycloid's Cartesian Coordinates for Y, then he will withdraw his Claim for Loss of Future Earnings. (FYI: "calculate" means $y=f(x)$ without using a root-finding algorithm.)



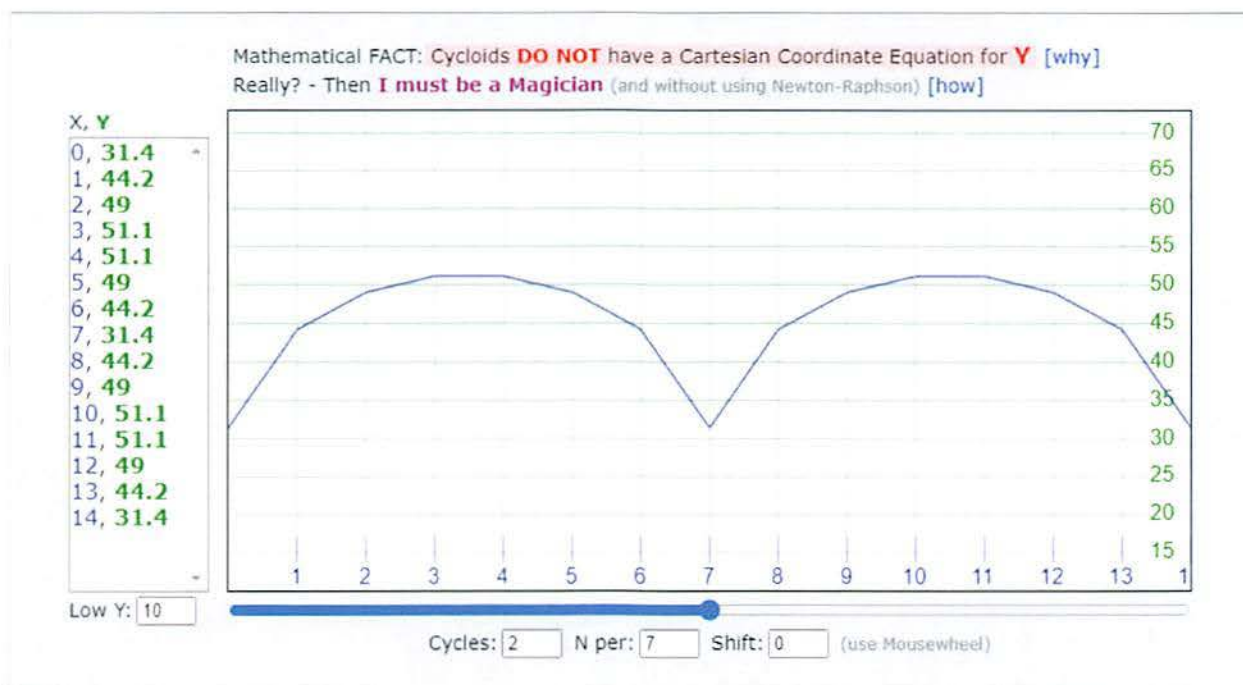


Moving the Slider calculates Y on-the-fly using the Slider's X

<https://www.youtube.com/watch?v=0eHt1cAk2Qs> without Narration



Adjusting Cycle, N per, or Shift re-calculates $Y=f(X)$ on-the-fly:



SUMMARY

99) It is despicable for Elon Musk to be an Absentee CEO of a Publicly-Traded U.S. Company. It is despicable for Tesla's General Council to be "Yes Men" rather than upstanding Lawyers who abide by their Oath to do what's in the best interest of their client, Tesla - not Elon. And, it is despicable for a regular American (and many others???) to have been treated with such disregard.

100) But, it is ****OUTRAGEOUS**** for immigrants to get jobs illegally, allowing them to get their U.S. Citizenship to then become hiring managers who illegally hire more immigrants. (A list of the Bot Team, with each person's Country of origin, who hired them, and if Tesla sponsored them to get Citizenship would prove everything. Not producing a list would also prove everything.)

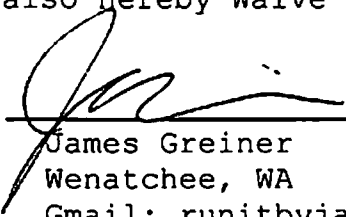
DEMAND FOR JUSTICE

WHEREFORE, the Plaintiff requests that the Court, and the Judge, not let the Defendants drag him through the legal mud anymore, and order the following award against the Defendants:

- a) \$192k for Loss of Future Earnings (same as with JAMS)
- b) \$200k for Punitive Damages (same as with JAMS)
x 10 = \$2,000,000 total (for having to go to Federal Court)
- c) This Complaint is Righteous, so if either Defendant files a Motion to Dismiss, Motion to Arbitrate, or Demands a Jury, then add another \$1,000,000 to Punitive Damages.
- d) And since the Plaintiff Waives Discovery, then add another \$500,000 to Punitive Damages for every month that this case is prolonged past 6-months.
- e) All of the above except \$76k shall be paid by Elon Musk, since Telsa Inc. is a victim here just like the Plaintiff, but Tesla shall pay \$76k for Diversity Jurisdiction.
- f) Also, please Sanction TGC for professional misconduct for breaking their Oath to Tesla. (They deserve a day in jail with a bologna sandwich and kool-aid.)
- g) And finally, order Tesla to clean house by firing a couple of bad actors (i.e. Elon and the Board of Directors).

May Justice Prevail. And, I also hereby Waive Discovery.

Dated: October 20, 2023



James Greiner
Wenatchee, WA
Gmail: runitbyjames
Ph: (XXX)XXX-3595

P.S. I bet TGC Responds on time per FRCP Rule 55 now - more Proof I'm right.